

UNITED STATES DISTRICT COURT

for the

Southern District of Ohio

United States of America
v.

James Bartels

Defendant(s)

Case No. 2:22-mj-802

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 8, 2022 in the county of Lawrence in the
Southern District of Ohio, the defendant(s) violated:

Code Section

18 U.S.C. 1855

Offense Description

Timber Set Afire

This criminal complaint is based on these facts:

See attached affidavit, incorporated by reference herein.

☒ Continued on the attached sheet.

JOSHUA
RADFORD

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RADFORD

Date: 2022.12.20 09:14:31 -05'00'

Complainant's signature

Joshua P Radford LEO U.S. Forest Service

Printed name and title

Sworn to before me and signed in my presence.

Date: December 20, 2022

City and state: Columbus, Ohio

Kimberly A. Johnson
United States Magistrate Judge



AFFIDAVIT in Support of a Criminal Complaint and Arrest Warrant

I, Joshua P Radford, a Law Enforcement Officer of the United States Forest Service, Law Enforcement and Investigations, depose and state:

AFFIANT'S BACKGROUND, TRAINING, AND EXPERIENCE

1. I make this affidavit in support of an application for a criminal complaint and arrest warrant under Rule 41 of the Federal Rules of Criminal Procedure, charging James Bartels (Bartels) with knowingly and willfully violating 18 U.S.C. §1855 (Timber Set Afire).

2. I am a Law Enforcement Officer with the U.S. Forest Service (USFS) and have been so employed since April 12, 2021. I am currently assigned to the Monongahela National Forest, Gauley Ranger District in Richwood, WV. Prior to becoming a Law Enforcement Officer with the USFS, I was a law enforcement officer with the National Park Service (NPS) for 5 years. Prior to becoming a Law Enforcement Officer, I was a hotshot firefighter for 1 fire season and on a veteran fire corps crew for 1 fire season. Prior to becoming a firefighter, I was an infantryman in the Marine Corps for two years and a scout sniper for 2 years. I served two tours in Fallujah, Iraq between 2004 and 2008.

3. I am a “law enforcement officer” “of the United States” within the meaning of 18 U.S.C. § 2510(7), empowered by law to conduct investigations of, and to initiate arrests for various offenses involving national forest lands.

4. I am a graduate of both the approximate 18-week Land Management Police Training and the 10 week NPS Law Enforcement Training Program. I also successfully completed the 11-week uniform field training and evaluation program with the NPS and the 12-week uniform field training evaluation program with the USFS. I also completed the 13 week United States Marine Corps (USMC) bootcamp and 11 week scout sniper school.

5. During my tenure with the USFS and NPS, I have participated in multiple investigations involving fires, smuggling, human trafficking, and drug distribution. I have participated in multiple surveillance operations, for smuggling, human trafficking, wildlife poaching, and drug distribution. I was a team leader on a USMC scout sniper team, directly responsible for gathering intelligence on persons of interest. I have taken numerous National Wildfire Coordinating Group (NWCG) courses including Introduction to Wildland Fire Behavior, Human Factors in the Wildland Fire Service, Initial Attack Incident Commander and Ignitions Operations.

6. I have been conducting federal and state investigations on or adjacent to Federal lands for approximately 6 years. During that time, I have participated in numerous criminal investigations including, but not limited to, crimes of theft, arson, firearms prohibition and narcotics-related offenses. During my tenure with the USFS and NPS I have conducted interviews, collected evidence, conducted

surveillance, testified and served summonses. This affidavit is intended to show only that there is sufficient probable cause for the requested warrant and does not set forth all my knowledge about this matter.

STATEMENT OF PROBABLE CAUSE

7. I am the case agent on an on-going arson investigation where over forty suspected arson wildfires have been lit since spring of 2022 on Federal Lands administered by Wayne National Forest within the Southern District of Ohio.

8. On or about April 21, 2022, James A BARTELS (DOB 07/08/1972), an administrator at Greenfield Township Volunteer Fire Department, discovered an unreported fire at 00:29 hours.

9. On October 29, 2022, the Cauley Fire (Incident OHWAF-1459) was reported on the Ironton Ranger District. Ohio Natural Resource Law Enforcement Officer Chris DODSON, observed a maroon Ford Truck Oh license plate# DEPSHF, registered to BARTELS, on Dry Ridge Road turn onto Hoadley Road. DOBSON reported that within an hour, a fire was reported on the Wayne National Forest. The Cauley Fire was south of the intersection with Cauley Creek Road and Dry Ridge Road.

10. On November 8, 2022, within days of BARTELS resignation from Galia County 911 dispatch, at least 17 fires were lit. An eye witness positively identified BARTELS truck, a Burgundy 2021 Ford F-250, with blackout package,

at two separate locations in the vicinity of multiple fire starts, within minutes of their ignition.

11. On December 08, 2022, an interview was conducted with BARTELS. During the interview, BARTELS admitted to lighting multiple fires on Wayne National Forest with a lighter. BARTELS said he started the fires to give the boys something to do and to distract himself from depression.

12. BARTELS was provided a map with suspected arson fires marked on it. BARTELS was then asked to place check marks next to fires he started and Xs next to fires he didn't start. BARTELS drew check marks next to 26 fires and Xs next to 9 fires.

13. On December 19, 2022, location information obtained from BARTELS F-250 infotainment system was plotted on a map. The plotted points showed where the vehicles infotainment system map displayed. The map displayed coordinates in close proximity to 24 fires, most of them 1 to 2 hours before they were reported to 911.

14. Based on my training and experience, I believe there is probable cause that BARTELS may be responsible for or connected to the ignition of 24 of the suspected arson fires in the area.

CONCLUSION

15. I submit that this affidavit supports probable cause for an arrest warrant and complaint charging BARTELS with violations of 18 U.S.C. §1855 (Timber Set Afire).

Respectfully submitted

JOSHUA
RADFORD

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RADFORD
Date: 2022.12.20 09:17:26 -05'00'

JOSHUA RADFORD
LAW ENFORCEMENT OFFICER
United States Forest Service

Subscribed and sworn to before me this 20th day of December, 2022

Kimberly A. Tolson
United States Magistrate Judge

